

STAFFORD COUNTY
AGRICULTURAL AND PURCHASE OF DEVELOPMENT
RIGHTS COMMITTEE MINUTES
April 26, 2010

The meeting of the Stafford County Agricultural and Purchase of Development Rights Committee for Monday, April 26, 2010, was called to order at 7:00 p.m. by Chairman Tom Coen in the County Administration Conference Room of the County Administration Building.

Members Present: Coen, Hunt, Clark, McClevey, O'Hara and Adams

Members Absent: None

Staff Present: Neuhard, Baker, Smith, Stinnette, Lott and Keyes

1. Call to Order
2. Approval of Minutes - February 22, 2010 and March 22, 2010

Mr. Coen: The first item on the agenda is the approval of the February meeting minutes, and March too, or just February?

Mrs. Baker: We were not able to get the March ones together yet.

Mr. Coen: Okay.

Mr. Adams: I make a motion that we approve.

Mr. Coen: Okay, we have a motion to approve the February meeting minutes. Is there a second?

Mr. Hunt: Second.

Mr. Coen: Okay. Any discussion? Alright, all in favor of approving the minutes say aye.

Mr. Hunt: Aye.

Ms. Clark: Aye.

Mr. McClevey: Aye.

Mr. O'Hara: Aye.

Mr. Adams: Aye.

Mr. Coen: Aye. Okay. Anyone against? Okay. So, we move to staff update.

3. Staff Update

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- Land Conservation Conference

Mrs. Baker: Just briefly, I handed out a write up on the conference that is coming next month. I went ahead and printed out the registration if anyone is interested in attending Preserving Our Commonwealth. The fourth annual land conservation conference is a variety of groups that get together and put this together, last year it was at Greenbrier. They are having a PDR managers meeting as well, and we get to go to that for free so if anyone is interested in the three-hour meeting they have it on the first day in the morning on May 12th. But the rest of the conference, I will not be attending because we have no training money in our budget at the moment. That is all the information you will need and you can register directly online. It is very interesting and they do have one special speaker coming in, a fellow named Peter Forbes and he is conducting an all day workshop. It is an additional fee of twenty-five dollars and it is looking at the conservation role in the community and the aspirations to broaden basis and support and build alliances. Mike Lott and I are planning to attend the free session and will be driving down that day.

- PDR Celebration Event

Mrs. Baker: The PDR Celebration Event, really what we wanted to talk to you about on that tonight was, since we don't have a date set yet, is to go ahead and order a sign. Marty spoke with some folks to get information and a sign layout and we would like to get your take on that, any changes, corrections, additions or thoughts. What we thought we might do, since we don't have a dedication date yet, we might put the date that is was officially recorded, January 15th or something like that.

Mrs. Clark: Instead of dedicated May it would say recorded January whatever.

Mrs. Baker: Or some language like that, not necessarily recorded, but...

Mr. Neuhard: Established.

Mrs. Baker: Established.

Mr. Coen: Okay. Very nice. Thank you.

Mrs. Baker: I think it would have the county seal on it.

Mr. McClevey: Correct.

Mrs. Baker: I don't know if we need to have some recognition on it for VDACS as well, since they put up half the money. That was just another thought I had, just throwing that out.

Mr. McClevey: I just sent the information out as a draft mock up to Unicor and they had it back to us in two hours. So they can do the County Seal, but I need some sort of file on it to send to them. I think it is twenty-four inches tall and thirty-six inches long are the dimensions and we can get it in aluminum or three quarter inch plywood, pretty durable stuff. We use it on our refuges, it is pretty high quality.

Mrs. Clark: And it was only one hundred forty-five dollars or something like that?

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Mrs. Baker: Yes.

Mrs. Clark: Which I thought was extremely reasonable.

Mr. McClevey: I am not sure if I asked for the quote in aluminum and plywood.

Mr. Neuhard: You did.

Mrs. Clark: Is there any money anywhere?

Mr. Neuhard: We will find it somewhere.

Mrs. Baker: The wood one was 175 and the aluminum 145.

Mr. McClevey: The metal is an aluminum plate, probably like an eighth inch, I don't know, an eighth inch or three sixteenths inch thick or something. We can go either way. Wood is nice because you can screw into it and mount it better on post. You can go with a single post or double posts. Two four by fours or a single four by four with carriage bolts on the top and bottom.

Mr. Coen: Do you have a preference?

Mr. McClevey: I don't work much with the aluminum; we always work with the plywood. The plywood is probably going to last, I don't know, probably fifteen good years before it starts fading and gets a little bit of rot to it. Aluminum can last longer, but it is harder to mount because you have to have special mounting brackets and stuff. I did not know if Stafford County had sign standards or any type of a sign program, protocol for signs and stuff.

Mrs. Baker: Something typically - let's say you look at our parks - they have the nice plywood signs with the double posts.

Mr. Neuhard: We have street name sign standards, but if you see any of the dedication plaques they have all been a little bit different. We have a policy standard for marking buildings when they are built, which will show what names go where.

Mr. McClevey: So the typical conservation/park type sign.

Mr. Neuhard: You will establish a standard for this with this first one.

Mrs. Clark: Because this says first perpetual conservation easement, do you anticipate them all saying then second, third and fourth or just after this will they say perpetual.

Mr. Neuhard: Just perpetual.

Mr. McClevey: Perpetual conservation or conservation easement.

Mr. Adams: I have got another question out of that, does it have to be displayed? The reason I ask is I won the John Marshall conservation award for farming in Fauquier County three years ago. I have

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never put the sign up, they gave me the sign and it is sitting in the kitchen and I have never put it up. Will the Silver's put this up even if we have the sign made?

Mrs. Baker: I guess I was anticipating we would put it up.

Mr. Neuhard: You don't have to put it up, no.

Mr. Coen: I guess we could ask the man if we could put it up on his property.

Mrs. Clark: It would be nice if the County actually went out and put it up.

Mr. McClevey: It is a significant event for the history of the county and we would like to mark it if we can.

Mrs. Clark: Do we want to say Stafford County on it anywhere other than just the seal or is Stafford County prominent enough in the seal?

Mrs. Baker: It is probably not that prominent at this size. Do we have a picture of the seal?

Mrs. Clark: Does it say Stafford County around the top of it?

Mrs. Baker: Yes it is around the top.

Mr. Coen: So I guess so far the questions we need to get solidified are, one is, do the Silver's want it on their property? Two, do we need to put in something to refer to VDACS since they helped with the money.

Mr. Adams: Do we want to put who owns it, Virginia Outdoor Foundation, do they own it?

Mr. Neuhard: No, we own it.

Mr. Coen: We could put first perpetual conservation easement Stafford County. I am not quite sure if it is called the Silver Tract or there is a different name.

Mrs. Baker: That is what we refer to it as.

Mr. Coen: Okay.

Mrs. Baker: As a general reference.

Mrs. Clark: I like the color, I like the font and it is very readable.

Mr. Coen: Okay, I guess we could ask Jerry if he has a preference of wood or metal.

Mrs. Baker: Okay.

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Mr. Coen: Would it make a difference, I don't know if it would make a difference one way or the other, but he may have a preference. Does anyone on the committee have a preference, wood or metal? Thank you to Marty and Kathy.

Mr. McClevey: Do you want to go with E-S-T period or established January?

Mr. Neuhard: I think it was established in December, because we had to close before the end of the year and record, so it was in December 2009.

Mr. McClevey: They can put anything on the sign. I think originally I put something like EE 1 dash 2009, if we wanted to continue a series of signs. Or I put sixty-six acre Silver Farm. Silver Tract seems to make sense.

Mrs. Baker: They might prefer farm. I can ask them.

Mr. Coen: Yes, Silver farm. I like that.

Mr. McClevey: Well, if we designate the easement more for us...

Mr. Adams: They go by Silver Ridge Farm don't they?

Mrs. Clark: The whole farm is Silver Ridge, but the easement is not on the entire farm. I don't know if Silver Tract might make more sense.

Mrs. Baker: Again, I can check with them and see...

Mr. Coen: If they have a preference, yes.

Mrs. Baker: And I will coordinate back with Marty.

Mr. McClevey: Sure, and I will just send comments up to Unicore and Guy can make modifications.

Mr. Coen: Okay, since the budget just sort of ended, we started the process of finalizing a date.

Mr. Neuhard: For?

Mr. Coen: For the event.

Mr. Neuhard: Yes.

Mr. Coen: And then you wanted to add...

Mr. Neuhard: The discussion quickly about the bond update. Many of you might remember that in June, what was then the PDR Committee went before the Board to propose a referendum for ten million dollars for PDR Program over ten years. We have the Board package from that date, the presentation and the last piece is a Resolution which includes the question that would go on the referendum if we did it. When we talked at that time, they said come back in May and let's talk about it

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again. Well May is here and it is time to talk to the Chairman about whether or not or where it most appropriately goes on the agenda. The earliest it could go on the agenda would be the May 18th meeting. It is likely it could go to the first meeting in April, but we need to start talking about it because the deadline for getting it into the Circuit Court is August, the end of August. I think there are a couple of questions. One is, does the Committee still recommend we go forward with this? Second of all, are there any significant changes in the foundation of the reasoning behind going forward with this? And third, and the attorney really hopes the answer is not in the affirmative for this, is there any needed for a change to the question? As you remember, we painfully walked through this question last year.

Mrs. Clark: We have got a slightly different Board now too. I mean Committee.

Mr. Neuhard: So that is where we are at and before I go talking to the Chairman about it, I want to get your sense and I would assume the Chairman, Tom, you would come again and on behalf of the Committee do a portion of the presentation so that they could understand that the Committee was behind this and this is the way you still would like to go.

Mr. Adams: Well, I never stayed for the end of the question because it was just so technical, you could not decide that night and I did not come back and I did not see the presentation. But other than just reading through it, it would be just one of two changes on the date, unless we decided to do something totally different, right?

Mr. Neuhard: Well, essentially what we want to think about is, half the Board has heard this before and at least two members have not. So the question would be whether we want to shorten, compress or whether there is a need to go over all of this again. Probably it would not hurt to go over the basics, so we would need to look at that in preparing the package. I think the fundamental question is, are you still interested in attempting this as a financing source and if so are you okay with the question? I think from there we can work on any alterations to the presentation.

Mr. Coen: Could I ask you, because we have at least two new members that were not sitting through this arduous process, could you just sort of give us a thumbnail, you don't have to go through the whole shebang, just sort of a thumbnail of how the funding would happen so that they would know. It is not like an outright normal bond where immediately...Just explain it a little bit so they have some idea, I just don't want to spring a whole discussion on them.

Mr. Neuhard: Right. First of all, the question is how do we continue to sustain long term funding for this program. That is the question. And in almost every case we are looking for matching grant money, which we have no money to match. So the Committee decided that the best way to sustain it, and there have been a number of different ways, is to in essence go out and borrow the money through a general obligation bond issue. So that was the approach and that was what the Board was asked to do. Essentially you have eight years from the time a referendum is approved to borrow the money, you have two additional years that you can ask the Circuit Court to extend that borrow over. So that is why it is set up for ten years. The idea is you would borrow approximately, you would borrow what you needed first of all, it does not mean you would have to borrow all of it. You may not use your referendum authorization, but they looked at two million dollars a year with the hope that they could leverage that amount under grants at the Federal and State level. So that was in essence the approach. We actually discussed this twice with the Board. We discussed it during one of the PDR presentations

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early on then came back with this specific request last June at their request. And basically their position at the time was because of the Transportation bond and the anticipated Parks bond that they felt like putting another one on there would water down the process. So they asked us to come back again this year and we are now at that time. So that is the short story.

Mr. Adams: Let me ask a question, just for clarification. If you had applications that came to eight hundred thousand dollars of PDR that were approved, you would just borrow eight hundred thousand and the rest just sits in the kitty until something else happens in the future.

Mrs. Clark: Part of this, though, depends on not a lump sum pay out like we did with the Silver Tract because we had it, isn't that right, Mike? But instead it relies on paying over twenty years.

Mr. Neuhard: Well, you could.

Mrs. Clark: And the idea of that leverages it over a long period.

Mr. Neuhard: At the time, there was discussion about using it essentially to pay over time. You could do that, you don't have to do that. You are going to have to borrow the money some way or the other. And you don't borrow it like... you generally don't issue bonds every month. You would strategically, based on all the other affordability of your other bonds and borrows that you have, you would decide when, usually in spring and fall is when you would consider that with everything else. Any you would consider when and how much you were going to issue it for. So there would be some strategy employed also financially against the rest of the county's debt over time. So it would be combination of what do you have to leverage against? What do you have working? When is that available, you know our process, how long does it take? Then you would have to decide, you know some people may not desire to have it paid out over the years and they may want it like Jerry did, in a lump sum. And certainly a lump sum is easier for us to account for than trying to pay out over multiple years, other things, from a staff perspective at this point, particularly since we do not have full time managers watching that. The more complex you get with how you pay out your money and tracking it the more difficult it gets.

Mrs. Clark: So that would be a part of the individual contract then and both would be a possibility.

Mr. Neuhard: Absolutely. Your borrow is not going to be contingent upon... what was trying to be done was to leverage that as far as you could. In other words you were kind of, rather than using up all your money you could have maybe six easements for that same two million dollars. Seven easements, ten because you are paying it out over years and you structure your borrow over time. There may be tax advantages for the other person with that, the person who you are paying it out to and that makes your money go further over time. Rather than going, for one, paying out two million dollars and you are done until you borrow again. With this you could, depending on a lot of factors, you could entertain more than one at a time. Because just like you are borrowing, you are paying them over time. But that would be in the contract with them.

Mrs. Baker: And what happens if the bond referendum would not pass with the voters?

Mr. Neuhard: Remember that is one of the things that you have to...if they decide to do it, then your PDR program is basically dead until there is another source of money that is found.

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Mr. Coen: A lot of other communities will do it by dedicating every year out of the tax base or out of the budget, saying we are going to put this money aside for PDR. We were fortunate with our six hundred thousand, to have a couple of years to have put aside in a little kitty. Other places will say, and I think James City had that power, where they will say this amount of money is going aside to this special fund or whatever. Spotsy, at one point I think, said they were going to designate certain money, a certain way, I forget which way, it has been so long. So there are different ways you can do it. The Committee last year felt, that given the standpoint where the County is, rather than saying we are going year by year and not know what is going on, if we had a dedicated funding source that was over a decade, that you did not necessarily have to tap into all the time, if it was not a need. If we did it the first time and only three people applied and it all was covered under the two million, then you were done and there was not an interest, there is no point in going. If there is then you keep going and borrowing. So it gave more flexibility as opposed to if we, say we want to do this program and twenty people show up and then you are like okay and we go to the Supervisors and in a bad budget try to get money to match with the State, it would be a little difficult. So that is sort of why we went towards the idea of having a bond referendum as a way to do this, that has some dedication. Any feeling from anybody?

Mr. O'Hara: Is this a motion?

Mr. Coen: No, discussion.

Mr. O'Hara: Discussion.

Mr. Neuhard: At some point we have to talk it over with the Chairman. At some point they need to decide if they are going to come back and consider it or not. It will be very close consideration. I would not want to speculate on how it might go, needless to say times are still very, very tight.

Mrs. Clark: As far as you know, will there any other bond referendums this fall?

Mr. Neuhard: No, there are none in the immediate future that have been discussed. I would be surprised if anything popped up at this point. They have two out there that they are looking to have success with and prove that it is beneficial. There has been no discussion that I have been privy too, that does not mean there is not something somewhere else. We certainly aren't preparing for it and this is the time we start preparing for it because we have to have things ready by the end of August for the Judge to put on the ballot, to request the Judge put it on the ballot.

Mr. Adams: It is a lot of money to me, but for a bond referendum, ten million is rather on the small side compared to what is normally asked for, for a lot of things.

Mr. O'Hara: The question in my mind is, what is the County getting back with the borrowing and spending of ten million dollars. Does the deal work where you are getting more value back in buying the development rights, than if you didn't. To move something like this forward, I would want to understand that.

Mr. Adams: The comment that I made when this was presented about this time last year, you can take a hundred million dollars and buy development rights or you can take a hundred million dollars and build a high school. You are going to spend a hundred million dollars either way. It's just... is it

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going to come out of the left pocket or the right pocket. And if you have enough money you are going to... eliminate is not the right word, but once that can no longer be built there is not going to be more houses, so you may not need more rescue squads or more fire departments. And you know some people-type services are kind of eliminated, if that makes sense.

Mrs. Clark: If you look at your attachment, page two of twelve, you see that little, that is sort of where...

Mr. O'Hara: I am a numbers guy, so I have to look more to understand the whole. This may not be the right time to talk about it.

Mr. Coen: That is fair. If it makes a difference to the Committee when you are looking at the timeline, you said you may have to go to June first. Well, June first is when I am in Florida grading A/P exams. Marty, you are Vice-Chair. If Marty does not volunteer to do it, it would have to be either the May one, which I think is too quick for some people to really digest all of the information or the second one in June. Is that going to be problematic? You talk to Mr. Dudenhefer and...

Mr. Neuhard: Well, the good thing about it...unless we have some major reconstruction to these pieces, the major work has been done and we just need to adjust. There is only one meeting in July and one at the end of August. So if we get to this in June, we would be able to finish it by the last meeting in August. We have got to watch the holidays there so we can get it to the Circuit Court, but we should be okay. I think, you know, the thing about numbers is you can make them work however you want to make them work.

Mr. O'Hara: I understand, that is why I want someone to explain it to me.

Mr. Neuhard: So it is a bigger... I mean, and some would say that you could also... that beyond the dollar value of the land that you are buying or the impact that land would have if developed depending on which way you look at it. It is really about a philosophy, you know you can put some numbers out there and you can put a range out there and the question is whether or not the community, which you all are a representative, believe that this kind of activity has some intrinsic value. Everything you are spending in government today is basically like that. It is the values of the people sitting in the seat of power at the time to vote. The for votes, in our case, the value that they personally place, it is not always a numbers game. That is the piece you have to get past, we can make the numbers work and you can make it fall in a range where you can say, well, assuming you can afford all of this now, you can say, well, this piece of property is valued in this manner like this or that manner like this. And so if you spent this money you would be either cost avoidance or, this money if you do it from an environmental side purely, you are saying this much and it is valued at this much using these customary formulas.

Mr. Hunt: For me, I think it is a question of whether I want to fund the program through debt or fund the program through a tax assessment. Either way it is coming out of the taxpayers pocket.

Mr. Neuhard: That is right.

Mr. Hunt: I would much rather fund it through tax assessment side than through debt.

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Mr. Neuhard: There are a number of things facing us out there. Stormwater is huge particularly around Chesapeake Bay issues, there are a number of different ways you can fund that. Some places have done exactly that. So yeah, then you get into the philosophy of how you are going to fund things.

Mr. Hunt: For me it is not a question of whether it is worth it or not. For me the question is how do I pay for it. Do I pay for it through debt or do I pay for it through a dedicated funding mechanism?

Mr. Neuhard: I think it is going to be, this was the approach through the previous Committee with the Board because at the time there was not...there was a feeling, for example, that a half penny or penny would be dedicated to this. There might be a different view on that. That case could be made as well. I think the important thing is just, maybe from a pure administrative standpoint, is that there is some kind of dedicated source that we can count on so that we can leverage it against other opportunities. Right now we absolutely don't. That whole question about debt, absolutely. Philosophically, where do you want to be and how do you want to look? Absolutely. So the question is, do you go back with this or do you go back with another suggestion and how do you explore that? One way or the other we need to let them know that we want to reexamine this and we are not coming back to you as is on all our tracking forms and that we don't believe that it is the right time or other avenues, whatever it is. Or we need to bring this back up for some kind of discussion and that maybe that is where you put some of the alternatives back on there and see if they are interested in exploring any of those.

Mr. Hunt: There is no motion, are we just in general discussion? My preference would be to delay the action a little bit. You know better than I do, things are tight in the County.

Mr. Coen: Yes.

Mr. Hunt: My preference would be to delay the action a little bit. You know better than I do, things are tight in the County. I mean, right now, to think I have got to compete on the bond issue with school or fire and rescue or anything else, I don't think it is a good time to revisit. I would postpone the action. That is not saying I don't want to fund PDR, it is just a questions of where the money comes from.

Mrs. Clark: Well, I would rather have it as a tax...as a half penny or whatever, but I just don't think that this Board will buy that right now. For fiscal accountability, I think that in general it does make sense. I mean, if this fact is right that for every dollar that we collect in revenue we spend a dollar sixteen if it is residential land, but for every dollar we collect we only spend thirty-six cents for services farm land. To me that means the more open land we can save, the better off we are fiscally in the county. But I am just not sure that we can actually get the Board to add it to the tax revenue. I mean, do you? Look what they just...you know, this is a very fiscally conservative Board right now.

Mr. Adams: In Fauquier, they cut their funding in half this year, more or less or close to it.

Mrs. Clark: I mean I understand it, I totally understand where they are coming from. I think that we have got a better chance of funding it with a ten million dollar bond issue than we do asking for it to go on the tax base.

Mr. Adams: But the real kicker is you've got to have that money sitting in a pot before somebody else can match it.

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Mr. Neuhard: Well, what you do is, you look for grants just like we did last time. We asked for the amount of matching money that we could match. And that is what you do and that is what then limits you in terms of what is available to go after in terms of the development units that you are buying. There are a couple of things, there is the philosophy questions and then there is the practical question of if you are going to do this, is this the time or not. Just like it was the last time. For you the question is do you take it back to the Board to, in essence, recommend it or discuss it or whatever. And the Board will ultimately be deciding, from what they know, whether it is time or not to do this, given everything else. You do have a fiscally conservative Board, you do have...you are continuing to have, even there are signs of recovery, we are still in a recession and we here in the County...the County government has felt this months behind the economy in general because of one, we assess every two years, so we did not get the brunt of it last year, but we certainly did this year and next year we know that, for example, that a large portion of the stimulus money will be going away and that is going put new pressure on other parts of the budget, including schools, particularly schools. That means we will have another difficult budget year. So, certainly we are not out of this current situation. Now, what we would also have to do, is of course when we do this, which we have not done yet... we would have to look at this in terms of affordability with the other portions of the CIP that we currently have that they have adjusted and they have been very conscious about adjusting that particularly over the next year when we are really not borrowing anything over next year. Nothing new, so looking out for the next year. I do believe that what you do not want to do, this is real premature, but the Board will certainly consider that. They know the risk of putting referendum in front of the community and it failing. Then it is a number of years before you can put it back and expect it to be successful. And they were weighing it against their other ones and their priorities when they did it. It is a tough one. To be successful we need a stream of money somewhere. Even if it is a small stream because right now we've got no stream.

Mr. Adams: Yes, because I could see two or three years from now, when the time might be right, four or five people standing at the trough asking for money and it becomes the same thing. The Board says we are willing to do this one, but we are not willing to do these. So I don't know when the time will ever be right.

Mr. Coen: Well, is it the feeling of the Committee that we discuss it more in depth at the May meeting and just let you relay that to the Board that we are not going to come back in May, but in June with something, you know, so that way you can move forward, or do people feel comfortable saying today, they want to go one way or the other.

Mrs. Clark: Well, I just feel that we spent the last year hashing and if we are going to get any money at all any time soon... As much as I am not wild about bond referendum, I think that this is the only way logically get a revenue stream right now, so I would be okay with us going through with this now.

Mr. Adams: My problem is, I have personal reasons to want to go forward right now, because I will probably apply again, so I don't...I would just as soon stay out of it because I think I would represent a conflict if I was to...

Mr. McClevey: I would like to know what the sense is with the Board, as far as their true feelings are and whether they want to even see this. They may have already decided that they don't want to deal with all this. And if that is the case, then our question is...our door is closed anyway, and we would have to back burner all of this. The other questions is, I don't know how the people will vote on this, I

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don't know what their constituents will look at as far as supporting this bond. If it does not fly, then our program ends. But as Gail said, we don't have a program anyway. It is a really tough position to be in.

Mr. Coen: Gentlemen?

Mr. O'Hara: I understand what they have a rule and when you ask the question, and you are not really sure what the answer is, and that would be on precept. Is that true counselor?

Mr. Smith: That is true.

Mr. O'Hara: The second thing is, as Mrs. Stimpson said, "What do you think?" I understand the intrinsic value issue, and there is value to that. Also what is the offset to the expense stream that you get by buying these development units. Again this is something I would want to understand how it was developed because you say you can play the numbers either way, and that sort of tells me we are within that margin of error. I guess I just want to kind of understand how reasonable those assumptions are, knowing that numbers can go any way, and I have a concern about that. The cost of land right now is obviously depressed compared to what it was a couple of years ago.

Mr. Adams: I think educationally, this is a tough sell. When you ask for money for schools, most people have kids in schools and are involved, and when we did the road, people are sitting in traffic every day. This, I don't know if that affects them like those other issues do. When you talk about the average person living in a subdivision and commuting into DC, I think it will take a whole lot of education to get a yes vote out of them.

Mr. O'Hara: I think you have to sell it and say, hey by doing this, we will offset the cost. And hopefully we will not get ourselves into a situation quite as bad as we are in right now. One of the things I learned while sitting...I went to a town hall meeting for the Falmouth District with Mrs. Stimpson and a Stafford School Board member. Stafford's budget has gone from a hundred million to two hundred plus million over the course of ten years. So there is obviously a big difference, and obviously when you are working through a recession there are some bigger financial issues that you are dealing with, so you are just heaping a lot more cost because if we are going to borrow money, it is not just taking money out of the tax stream. You are also paying the money to service the debt, so it is that much more expensive. So is it really worth it to borrow the money, are we really going to get the payback on the investment? That is where I am having difficulty.

Mr. Hunt: I am really not looking forward to the bond request now.

Mr. Coen: Okay. A couple of things, along with Gail, we have been in this since the inception. Since before the Comp Plan, one of the things that people have always continually said whether it has been at County meeting or the meetings about the Comp Plan is that one of the things that they want to see was the nature of this county preserved. And I have always said we should let people put their money where their mouth is. If they really believe that this is a goal of what we want to do then they should step up and actually do it. I would not have thought, I did not think, the two other bond referendums would pass, but they did. If memory serves, they failed and they came back within a couple of years and passed. I understand the mentality of it that if it goes down it may never go back again, but as of right now we have no again. There is no money, and I don't think there is going to be any money

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dedicated in the taxes. I think this may be the only avenue that is going to be available, but I think it is worthwhile for what I am gathering, for us to feel out our individual Board members. See where they stand, for Mr. Neuhard to talk to the Chairman. Let them know where we stand, that we are looking at this, we have new Board members that want to get their hands around the facts and the figures to understand exactly how we are doing it and that will be discussed in our May meeting and will go from there. I think that is a fair way to go about it. It may be that at the May meeting, we decide from what we gather after people look at it that we may recommend some other avenue. Is that a fair assessment of where people are? At this juncture tonight, we don't feel comfortable going forward with the information that we have and by May we will have a better understanding one way or the other. Is that fair?

Mr. Neuhard: We will certainly get a feel from the Chairman too, whether or not he wants to put it on in this timeframe.

Mr. Coen: I am not taking a vote, but since nobody agreed or disagreed with me, I am assuming I am right. As one of my students told me today, do you know what happens when you assume? I was like, yes I know that. Is everybody okay with that?

Mr. Adams: I am okay with tabling.

Mr. Coen: Okay.

Mr. Neuhard: So you want me to talk to the Chairman...

Mr. Coen: Yes, and I suggest that we talk to our particular Board members. You are already talking to him, but I will talk to Mr. Dudenhefer as well, to get a feel for...

Mr. Neuhard: Just be talking to him about the agenda and when it is due back and what your general discussion was about discussing it further next month.

Mr. Coen: As far as you know, this would be the only bond issue for November.

Mr. Neuhard: I know of no other ones that have been talked about.

Mr. Coen: Okay. Any other discussion?

Mr. McClevey: I think that...did you and Bob get the packets on the PDR Program? If you have a chance to look over the history and so forth, because there has been a lot of passion in this and again the AG Committee started all of this momentum and Kathy has been working on this for years now. Truly believe that it is a great opportunity for Stafford to conserve land. Not just for the sake of conservation, but it was a few years ago that we had a severe drought and there were issues of, well if we build more houses will our reservoirs be able to keep up with the demand and all. So I think it is a good situation, a winning situation for us to be putting land in easements. I am trying to bring you guys on board that the program is a good program. Saving farms, as Tom said, has been on every document, every comprehensive meeting, the 20/20 plan from way back years ago that we all agreed. And predecessors on the Planning Commission and the Board have all said that preserving the rural character of the County has been important. I think that as Tom said, this is putting their money where

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their mouth is and see if they really want to do this and I think we had some surprises this year with the Board where we felt that they were losing the consensus on this, on whether or not they want to do the PDR Program. Nonetheless, we have it, we have the Ordinance to do something. I definitely want to put it before the Board, I want to put something before the Board this year and I want them to make a decision on it and put it in their lap and just say hey, people years ago certainly wanted this and people have been screaming for conservation over the years. I don't know gut wise, I don't know how the people will vote, ultimately. We can only hope that they will vote in favor of this, but I think education is a huge thing and I think that the citizens...when they have their kids out at a field that has no grass on it and they are playing soccer, they want better parks. It is only when they are under water restrictions that they kind of say, gee whiz maybe we should do something more to protect our watershed. It was just bad timing that the economic crisis came up, otherwise we would probably have more of a steady stream of money, there would be more money available from the State. So wait a month and see what happens, if you guys want to talk you can pick my brain. I am certainly open to discussion this. Bob, if you want to get some coffee sometime...

Mr. Hunt: I think I am a little clearer, I am in favor of funding the program. The question is how do you fund it?

Mr. McClevey: We can go back and talk about how we talked about pennies on tax rates and so forth and the different things we have discussed.

Mr. Coen: Way back when, in one of the first meetings, I am not trying to sell, just trying to give you some history. When we first presented various options to the Board, we gave them this is one option, this is another option. These are the pluses and these are the minuses of it. I think we still have that PowerPoint somewhere where we said that. And they sort of steered us and said, well look at this, look at the bond and that is sort of why we steered that way. It may well be, that we do once again because that is what we did. We presented these are the ways we can do it, you and pick and choose. We certainly can go forward with that because I don't think any of us is so adamant that we have to have it one way. We want the program to have a steady fund stream and ultimately it is going to be their call. We will look at it in the next month and come back and be able to decide which way that we will go from there.

Mrs. Baker: I just wanted to add one source that you may look at, there is a group that does attend the PDR Managers meeting called Evergreen Financial. And they have come and met with us before looking at the different options for financing PDR programs. They have a website that you could look at and they go through some of the different scenarios as well. That is a place to go and look for numbers.

Mr. Coen: Okay, thank you. We will move to the unfinished business, the PDR ranking.

4. Unfinished Business

- PDR Ranking Criteria

Mrs. Baker: I guess before we get back into the chart itself, we wanted to go over some of the information that we handed out to you this evening. First of all because you all did ask about the easements that are currently in the County, we actually produced this map previously, that showed the

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parkland as well as open space areas. The orange is the conservation easement, the green is the parklands in the County, either State Parks, Widewater State Park or Crows Nest, or the County parks. The orange along the river is the City of Fredericksburg easement and the rest of them are either Virginia Outdoors Foundation easements, or there are a couple Department of Forestry easements. We have added the Silver easement on as of now. Some of them, it will note if it is in a subdivision, it would have been and easement along a stream most likely and they have not been able to define that on this map because of the scale of it. We just noted the parcel itself has an easement on it, it may be only portions of that parcel that has an easement. So this is just to give you an idea about the County and where the easement are.

Mrs. Clark: Kathy, can you tell me what the big orange chunk that is south of Curtis Park, it is in twenty-six and thirty-five.

Mrs. Baker: That was probably one of the subdivision easements from the Corp of Engineers where they require easements along the streams, if they disturbed some wetlands it would have required mitigation.

Mr. Adams: That is the subdivision right across from Mount Olive Road. I can't think of the name of it.

Mr. Lott: Yes, they had a pretty substantial Corp easement on that.

Mrs. Baker: Though probably not on that entire parcel...

Mr. Lott: There are a bunch of streams...

Mrs. Baker: But it would follow the streams that are on there.

Mr. Adams: Does thirty-seven and thirty-eight have something to do with the airport?

Mrs. Baker: Yes that was a little misleading because it is an airport aviation easement, I guess that is what they call it, across the entire airport.

Mr. O'Hara: You certainly can't build on it. Generally, what are the restrictions for the commonality of the conservation easement?

Mrs. Baker: For the most part, such as the ones from Virginia Outdoors Foundation (VOF), they do allow homes to be built, they will usually put a cap at...if it is a hundred acre parcel it is typically just one. But if you go over that, then they allow three or four residences on an entire parcel. They will allow... the Department of Forestry, of course, is different, which if you look up on map eighteen, that is a new one that was recorded. The Garrett property, I want to say that is the Department of Forestry, where they are going to go out and timber property, but they have to have a management plan through the Forestry Department. They have to do certain things, such as two hundred foot buffers on the streams and that type of thing. For the most part you are restricted to the number of dwelling units and you do have to have some type of a management plan in place. VOF just looks at leaving it an open area.

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Mr. O'Hara: So each easement is unique in the restrictions that go with the easement.

Mrs. Baker: The City of Fredericksburg easement, of course, they are preparing a management plan now. I don't know what is going to happen on that property.

Mrs. Clark: We don't have that in the easement, but what we do have are all different and not that restrictive.

Mrs. Baker: If you look at the Corp of Engineers, they have established where there is no building and no land disturbance. Again, that is going to be along basically stream corridors. There is some type of restriction on all of them, but for the most part it is leaving it in the natural state or having some type of management plan to manage the resources, such as the timber. VOF, don't look at farms, they can use it for farms, they do weigh a little more heavily on just open space easements in general and preserving land without disturbance. Any questions? The next map is the land use map was just to show you the Urban Services Area in black and we probably should have overlaid this on the map that we had last time showing the different agricultural uses. But this actually shows, if you look at the green in the outer areas, those are your agricultural land use designations. The yellow is the rural residential. Basically those are the two land uses that lie outside the Urban Services Area (USA). The black line depicts the Urban Services Area, everything inside is your higher density residential or your commercial/industrial properties.

Mrs. Clark: Just look how much of the agricultural is already divided into little...huge percentage is already divided into three to six acre lots.

Mr. Coen: Yes, we saw that. Where does, and I know this is a loaded question, the Comp Plan stand right now? I know they have tweaked some of it, but I know there have been great debates about some of these pockets, where the black line is. Is this the Planning Commission's...

Mrs. Baker: I understand there is still no consensus on what the proposed is. The Comprehensive Plan Committee of the Planning Commission is meeting right now with the Board's request to go back to them in June. They've focused on everything but the Urban Services Area on the Land Use Map right now because it is supposed to be a Committee with the Board of Supervisors and the Planning Commission to tackle that aspect and they have only met once. Have they scheduled another meeting, do you know?

Mr. Neuhard: Not that I am know of.

Mrs. Baker: So there were some areas where they were proposing to shrink that, the Urban Services Area. There were some areas where they were proposing to expand it. I think in general, the area was about the same. We do have new members now, that may change or it may not.

Mr. Coen: I thought, looking down on Route 3 heading towards King George. They had talked about shrinking it...

Mr. Hunt: I was on the Utilities Committee and we had recommended a smaller Urban Services Area, but it never got approved. It did shrink there and pulled a couple of areas back.

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Mr. Neuhard: Great debate will be around the Urban Development Areas and the reason I mention that at all, because originally it was all proposed within the USA but now there is discussion about them being with in some locations along the rail head and therefore as you can see our major rail heads are not inside the USA. If they do that, if that would become a reality, how are they going to change the shape so it moves out to it or whatever, what influence will that have. I don't know. It is that influence that will come into play.

Mrs. Baker: The next map talks about the historic resources, that is the one with the red lines. It had an attachment which talked about the references from the Zoning Ordinance...excerpts from the County Zoning Ordinance. And that relates to the red districts which are Stafford County Historical Overlay Districts. That just means anything within these areas are subject to review by the Architectural Review Board, so basically any exterior alterations and for the most part those are structures. There are some that are archaeological sites. We do not have a map for all the historic resources in the county because our data base has some three or four hundred, whether it is archeological sites or actual structures and some of the structures maybe only fifty years old but they may be a unique structure to a certain era throughout the county's history. The other will be family cemeteries, which we have between three and four hundred and they are scattered throughout. Just trying to give you a little bit of an idea where the historic resources are. If you really look at what is in our data base, just about anything over fifty years old that has been documented is in our department historic resources data base and considered a resource whether it is a significant resource or not, that is what requires an additional study. The phase 1 study or the phase 2 or further. So that was just something to remind us how we wanted to phrase the question about the importance of the historic resources on the ranking criteria. The back of the print out shows how we currently have the ranking criteria written for historical resources. On the front is the definition of what a historic area is and it gives some discussion about how the Board of Supervisors looks at how to create a historic resource overlay district and what values are to be considered when doing that.

Mr. Coen: Any questions? Thank you Kathy.

Mrs. Baker: Mike has some additional information regarding the revised criteria.

Mr. Lott: The spreadsheet I handed out is in regard to Section D, the first question. Looking at the Virginia Division of Conservation and Recreation's Lands Need Assessment. How we had done it last time is if a piece of property had an area, no matter how small a portion of the area of that property was covered in C-1, they got ten points. Even if it was two acres out of the hundred acres, they would get 10 points. Mr. O'Hara, last time we talked about a weighted average, so I went ahead and I did that for the four applications that we had that got any points for this last time. So under ecological cores, the number in bold, is the five points that they received last time and where it says acreage, down at the bottom of the numbers in bold, are what the weighted average would have been. Obviously it is always going to be less, unless the entire property is covered in that area. In some cases it is dramatically, like 42-4. The one that was going to be a subdivision, only less than half of that property was C-1 so instead of having ten it would have rounded out to only four points. We wanted to bring this back to see if you guys had a preference to which way we go. I can kind of see both ways. I can see maybe it is not fair if a parcel only has a portion of it and they get all the points, if they have ten acres out of a hundred, I understand that. At the same time I am a little leery how much weight we put on the model that is just printed out in checkered boxes. It is just not physically surveyed, but

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produced by a computer model. I leave it open to the Commission, which way you go. Either way it is not a lot more work. It took me maybe four hours to do that with GIS.

Mr. Neuhard: So we are looking at D-1?

Mr. Lott: Yes, D-1. Just to explain, what generally happens is a lot of these parcels, the ones we had this time, they tended to have a portion of the property near the streams, were scored and were given a value of C-1 through C-5, depending on how valuable...generally, we only have one in the county that is really labeled C-1 and that is down in the south west area around the Rappahannock River. There are others that are C-2, like around Crows Nest and scattered about. None of them are entirely covered. Once the portion of the property that has been cleared for a farm, will never score that high because this is an ecological core. The only way the entire property would be covered in one of those categories is if it is just a forested, undisturbed of land.

Mr. Coen: Does anyone have a preference where they like the core scores verses the weighted average?

Mr. O'Hara: I think my thinking might have been originally, I guess, that if they had a C rating we need to protect the land around it regardless of the acreage. Now I see from what you are saying, the weighted is pretty important. It can drop off significantly...

Mr. Lott: You could have a situation where you have multiple applications that are very similar and it could sway one, one way or the other if eighty per cent of it was C-2 and the other one had twenty per cent.

Mr. O'Hara: Correct.

Mr. Lott: It could end up being significant, change four points one way or the other. That would not have...obviously it would not have made much difference this time because, I guess it could have flipped flopped if 42-4 had been the one that had gotten the money. That could have been a significant thing this time. As it played out this one did not make a difference this time.

Mrs. Baker: Is that something easily explained to an applicant, about how to come up with this number?

Mr. Lott: I think I could put something in the Ordinance that just describes the methodology. Maybe a couple sentences.

Mr. O'Hara: It is basically math.

Mrs. Baker: Yes, so they understand.

Mr. Lott: It is a simple formula. I would not necessarily put the formula in, but just describe it in simple English, what the formula does.

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Mr. Adams: I like the weighted too. One percent of the land could be C-1 and the other ninety-nine percent may not have anything, but you have ten points for it. Like I say, I don't know work wise what that does for you to come up...like you said it took about four hours.

Mr. Lott: It is not that much work.

Mr. O'Hara: I would be inclined to do the weighted average then. Just round up to the nearest point and give them the benefit of the doubt.

Mr. Lott: So if it is over the value, just go up to the next one.

Mr. O'Hara: If they had 3.86 it would be 4, and 4.7 would be 5. It just makes the math easier.

Mr. McClevey: Is there a tract that would have, like C-1 on a couple of acres...

Mr. Lott: It is possible that you can have, we did not have it this time. There is probably not a large number of properties that would have multiple...actually the area around 42-4, that original property, you know because it used to be a bigger piece of property, had multiple layers on it. It had C-2 and C-3 scattered around on the original parent parcel.

Mr. McClevey: So there is not really a gradation on a tract of land from...

Mr. Lott: Not generally.

Mr. McClevey: Not generally, so it is or isn't.

Mr. Lott: Yes. Obviously a three or four hundred acre piece of parcel has a pretty good chance of having multiple ones, but one hundred acres and less that you are getting, you are less likely.

Mr. Coen: Okay, so is everybody for weighting? Alright, maximum amount. Do you have any preference of how you want to go through?

Mr. Lott: I think my feeling right now is focus on the visual and aesthetic value question. I handed out a handout on that. For some reason cultural resources...this is a potential question that was proposed last November. I think we gave this out last time, this is Marty's original one. I kind of reorganized it and made it bold so it stood out a little better for discussion. The first one I handed out was one...was actually a question that Patricia had formulated previously and then also the other handout had a similar version...idea that Marty had that we can discuss. They had similarities, I think Patricia had taken hers basically out of...

Mr. McClevey: Was it the Outdoors Foundation?

Mr. Lott: Yes, the Virginia Outdoors Foundation, so it was sort of based on their ability to receive tax credits. A lot of that question's language came right out of there. It was about land being visible from a state scenic highway. I think Route 3, down in the southern part of the county categorizes like that. Or a wild and scenic river, and the Rappahannock is designated as a wild and scenic river. Public parks, hiking, biking and riding trails. I figure there will be more of these as we designate a trail and

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park path. I just wanted to put this out for discussion and how we want to track this question and where we wanted to include it. We can include it as it's own separate category, it could be within environmental. You could even put it within cultural resources and then the other alternative with doing it was more...Marty's way was using a lot of the...looking at the historic viewshed kind of project, being whether it is a familiar visual feature with historic or aesthetic landscape. There are methodologies within the Federal Government of how you do that. In terms of scenic or aesthetic landscape, maybe it could apply and are not my area of expertise, but...

Mrs. Baker: My only concern with the viewshed aspect is, is it something that is definitive? Is somebody going to come and say, well you can see the very top corner of my property from here, so why didn't I get the points? That is a little bit of our concern with that particular criteria.

Mr. Coen: I will ask this question. Going from the map we looked at with the historic things on it, but also from what you mentioned about there being historic things all over, how would that play into this? If there is... I am trying to remember all the different things that Anita showed us on some humongous map. How small of an historic thing is it that it would automatically start getting points? Do you see what I am getting at?

Mrs. Baker: Not quite. If you are talking about the viewsheds, any environmental resource don't specifically have a viewshed and the reason why it is present here. If you look at Chatham for example, they consider their viewshed of the Rappahannock River and also the view into the City of Fredericksburg important. That is why they took down those additional structures and they don't want anything else built on the property because the viewshed is an important part of the aspect of Chatham. There are some... if you look at Dan Chichester's farm down on Route 1, that the house has always been on a farm. The viewshed is considered part of the importance if you read the National Register nomination, that is likely to be considered of importance to that. You are only going to get into that when you have had studies done on the property. You have a National Register or other type of nomination on it. So to me it is just going to be difficult to...there might be a reason to come in and assign an historic property based on the viewshed and what you are looking at from the historic aspect, but I think we would almost have to have a list of what those properties would be before we could say that they would fall under that criteria. Marty has more involvement in that from National Park Service level, I believe they look at it a little differently.

Mr. McClevey: Again, I look at it...well I kind of defined it in my comments of giving examples of what I was thinking when it comes to the historic sites and so forth. I wanted a component...again I am just kind of thinking out loud. I wanted a component in here, should we get funding and should there be opportunities for other funding sources that we have...we tap into historical and maybe viewshed from by-way organizations and foundations and so forth that we have opportunities to purchase land based on that. I think there...we should look at some statement in here, we need some statement on viewshed and I am not...I looked at Patricia's and I understand where she is coming from. She is looking at perhaps the legal perspective for taxation purposes and so forth, but I thought it was going to be more simple. I thought it would be, for example, if a tract of land was close to...I don't know. Somewhere along Potomac Creek there is a historic area there that in our assessment of that tract, that we would be able to consult with Anita or the historical folks and they would say, yeah, gee-whiz, if you get the opportunity grab the tract. Give it points because we certainly would want to protect the view shed going down into the old trestle area or something, I don't know. So I hear what you are saying Kathy, it is hard to articulate that and it is hard to back that up. I mean I can see where

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somebody could put in an application and say why don't I get credit because I am in the viewshed of such and such a place. I am trying to be...I think it is going to be realistic and more concrete than that. I think there is a way of looking at specific tracts that we are assessing and knowing at the time, is there a threat to a particular historic structure or view shed. I mean we have always had, I don't know, I am thinking of...there is a road that goes down toward Potomac Creek or whatever and there are beautiful farms and it is rolling terrain or whatever. To me that is a cultural view shed that is worthy of protection. Again there is no Ordinance there is nothing in the county books that says we have to protect that area.

Mrs. Baker: The historical folks are certainly going to agree with you, and yes the viewshed is an important aspect. Our only concern is...

Mr. McClevey: Correct, and I have to back off and say I don't know. I honestly don't know. I am throwing this out as food for thought. You have historic districts. Maybe it is time for us to be looking at that as a Committee. Maybe it is time for us to be looking at particular corridors that we want to protect. And again, does not have to be a formalized thing where you have on the books, between this intersection and five miles down the road, there is a cultural viewshed. Can it be more, say vague or less concrete?

Mr. Coen: Well, my concern would be on the flip side. If I were an applicant I would want the point thing to be as crystal clear as possible so that I know what I am playing with. If somebody could come in and then say, I will just pick a little one because I know nobody could, and say on a cold winter's day I can see Little Whim from my house so therefore I am in a scenic view of the historical property that you have in a historical district so I should get points. But it is not concrete, to me I sort of go along with what you are saying. There needs to be a list or something clear so the applicants will know when they go into it. Because otherwise then it will be...if it is too vague then the attitude will be well, then, you liked Marty so you agreed with putting his parcel near the White Oak Museum does qualify whereas mine near Little Whim doesn't because you don't like me. To me it needs to be concrete from the get go. That was my concern with all those lists, I should dig it out of...I've got it in a big Tupperware thing...Anita gave us this map with every cemetery, every old thing-a-ma-bob on it and it was like littered all over the county. Just to let us know how much there is...

Mr. McClevey: And I am not looking at every historical tract, I am just saying that there are specific corridors and specific features that we just want to maintain. That we want to preserve...

Mr. Lott: Features you may want to protect, not necessarily historic...

Mr. McClevey: Right.

Mr. Lott: Like Poplar Road or Hartwood...

Ms. Clark: Poplar Road is so unique because it's got one fairly large farm after another. I mean, I wish that was us, but its not. So that does, to me, preserve the rural character. But once again do you give anybody on Poplar Road extra points? I don't know.

Mr. McClevey: Without a designation by the county I don't think you could. Somebody within the county, whether it is historic people or parks and rec people, somebody has to come forward and say,

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we would like to...If you guys are running this PDR Program, we would certainly like to see land within the corridor from this slope to this slope preserved because it is a really cool roadway that everybody enjoys driving. So, I wish I had answers but I don't, I don't have an answer, I really don't.

Mr. Adams: I think it kind of falls into one of those "you know it when you see it".

Mr. McClevey: I think everybody gets the gist of what I am trying to say or what we want to do. Maybe there is a disagreement. There may be folks that don't agree with it.

Mr. Lott: It sounds like it may be better to move...absorb it within cultural resources rather than within environmental.

Mrs. Clark: We have struggled with this in other areas too. We think something has value, but when it comes to making it very quantitative it is very difficult. It is very, very difficult.

Mr. O'Hara: Well, I think making it quantitative is also not putting the applicants in a position of where they have got to put out a lot of money to come up with studies to quantify it and so forth. That is not exactly fair. Nor do I think we want to put out money to do our own studies to help quantify it. Unless you can come up with something really concrete and put it on the map and let the GIS guys figure out whether it is in or out, that is my concern. It can't be arbitrary and base extra money on it.

Mr. McClevey: Has the county... have there been any other discussions over the years on view shed protection?

Mrs. Baker: Again, you have to look at that in the context of each individual site. Is the viewshed an important part of that individual site? When you look at Little Whim, certainly it does not have a viewshed anymore because it is nothing but single family residences around it that have been built. That could be different for Glencairne, the Chichester place. He is on a hundred and some acres. The barns and the other historic house on that property are part of the viewshed, the topography is part of the viewshed. Then again you've got encroachment is coming around that.

Mr. McClevey: See, that is what I am suggesting. Okay, so we know that there is a site, a tract of land that we need to retain and protect for perpetuity. You know there is a tract of land that is coming up for application and it is adjacent to that site. Isn't there a way that we can give that applicant credit for being proximal to...

Mr. Coen: Wouldn't that be given already? We say the property is containing or contiguous to...

Mr. McClevey: Yes.

Mr. Coen: It is associated with. In theory when they rank the property they come back and say to me well, I am not giving you any points. If I were to come back to them and say look, my property is part of the viewshed where you can see the Chichester property, therefore...and at that point you make the thing and that would be before the ranking comes to us, when it is still on a staff level. That is when they would make the... go back and forth.

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Mr. McClevey: Again, there has got to be some area in Stafford County where people said, and we have talked about a couple, this is a neat corridor, this is a familiar visual feature of Stafford...

Mrs. Clark: By familiar visual feature, is that just a bunch of farm land?

Mr. McClevey: It could be, but it could be a grove of trees near an intersection of the road way or something. I don't know.

Mrs. Baker: I just think it is subjective. I go down Potomac Run Road and I think it is beautiful and some people say that is the ugliest piece of swamp land I have ever seen. But I look at it for the birds in it. So how do you quantify it? I think it has to be, particularly if we are getting matching money from the State, everything they look at...they look at our ranking criteria.

Mr. McClevey: Yes.

Mrs. Baker: In order to certify...

Mr. McClevey: Maybe we are not ready to break it out. I will yield to that and...but at some point in the future I think it is something to bring back and look at. I think it is something for the county to take seriously.

Mr. Lott: We are sitting down with Anita to see if she has any suggestions on how we can write a question to capture visual landscape in a way quantifiable...

Mr. McClevey: But she would have to say A, B, C and D. Anything that is within north, south, east or west or whatever...would qualify. She would say every cemetery maybe.

Mr. Lott: Historic landscape rather than structural.

Mr. O'Hara: You have got recorded historic districts, you already have that map. We know generally how far an eye can see. So say for each of these districts you draw a circle with a certain radius, then you say well, gee, there is already stuff inside that radius then it is contaminated. There is no marginal value to pay extra or give someone extra points. At that point you may not have anything left because all the view sheds have contamination and if that is the case, maybe that is sort of how you start to build a criteria that takes that into account that is not arbitrary. Now there are differences of elevations and other things that might block the views, trees and such. But that might be a starting point towards something that is a little bit more absolute. Just a thought.

Mr. McClevey: You would suggest that as the question, just going with the historical cultural features. The proximity to historical cultural features is adequate?

Mr. Coen: You know where you stand on the historic cultural thing so I am deferring. I guess the question is, do people feel we need something in there for scenic and does the Patricia thing qualify or do we just feel that the historic and cultural one sort of fits it? This is where the bird reaches the nest, I was going to say where rubber meets the road.

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Mr. McClevey: Perhaps we are at the point where this is a good enough question. I was rewriting on the basis... or rewrite it and see what it looks like.

Mr. Coen: That is fine.

Mr. McClevey: So if everybody is happy with it, I don't ...

Mr. Coen: Do you like her version to put in? Are you...

Mrs. Clark: Well, it depends on whether we are trying to...you know where I come from. Do you prefer it to be scenic or like the title of yours, preserving rural character. Which can be a little different.

Mrs. Baker: Which may also tie it back to the whole part about being adjacent to other farm land and not being adjacent to home sites or single family. Marty already covered that by leaving that part in.

Mr. Coen: Right.

Mrs. Baker: I do think...

Mrs. Clark: Well how much difficulty did you all have assessing points based on the way it is written right now?

Mr. Lott: For cultural resources?

Mr. Coen: Yes.

Mrs. Clark: Wasn't the big problem that some properties had had a cultural assessment done on them and others had not.

Mr. Lott: That is the issue.

Mrs. Baker: And also, what is an important historic...

Mrs. Clark: If somebody was going to have a subdivision and they went and paid a lot of money for an archeological assessment, they were almost guaranteed to get points, because in Stafford you throw a stone and you hit an arrowhead. So, you know...in other words it takes money...you had to put out money in order to get points there sometimes.

Mrs. Baker: Unless it was already listed.

Mrs. Clark: When you bought your place you had a bunch of stuff that sort of came with it. A bunch of history came with it, right?

Mr. Adams: Yes.

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Mr. Lott: I guess you could rewrite that first question where they get thirteen points, but that has to be...then you force them into a position where, unless they have done a study they might not know. It is not defined... is it already determined to be eligible for the National Register, but then that forces difficulty.

Mrs. Clark: I just noticed something. We have a maximum of eight points but we gave them thirteen.

Mr. Coen: No, they got thirteen...oh yeah, down at the bottom, yeah. There is a maximum of thirteen for section E.

Mr. Lott: Yes.

Mrs. Clark: And yet, right underneath cultural resources there is a maximum of eight.

Mrs. Baker: I think that was a typo.

Mr. Coen: Oh, yeah.

Mr. McClevey: So the third part of that question, the property is an established or familiar visual feature.

Mr. Lott: That is what is subjective. We did discuss this with the applicants that came through last time. The one that got thirteen points, they got thirteen points because the site had already been determined eligible for the National Register so I gave them thirteen points. One I did sort of treat as a familiar visual part of the landscape along Brooke and Marlboro Point, you merge off and you've got the farm there and you see as you are driving through there...I gave the point, we came and discussed it and did you agree with it.

Mr. Coen: Correct me if I am forgetting, but the term "important historic structure"... I forget where the gold mines are.

Mr. Lott: That was 42-4.

Mr. Coen: Would that qualify as important historical structure?

Mr. Lott: I did not much base it on that as the home site itself.

Mr. Coen: Okay.

Mr. Lott: You had three different...

Mr. Coen: Was the home site on the property or next to the property?

Mr. McClevey: The home site was on the property and the gold mine was adjacent.

Mr. Coen: Okay.

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Mrs. Baker: No...

Mr. Coen: No the gold mine was on it.

Mr. Lott: One was on it and one was not.

Mr. McClevey: Not on the application property.

Mr. Coen: Yes, one of them was. They had two. Alright, without the county going in and specifying more clearly, I am afraid to change it. Does that make sense? I see what you are getting at and I see what Patricia was getting at, but I just think unless we really clarified it at the county... There may be something we could have the Historical Commission or us or somebody do or staff...

Mrs. Baker: We could certainly have the Historical Commission look at that and they could make some recommendations.

Mr. Coen: But I think, as of right now, I think it is too vague. I don't feel comfortable changing it. And I am not to sure...I understand where she is coming from with hers, but I am not quite certain that...

Mrs. Baker: We could put a disclaimer on it, as determined by the Historical Commission and they come back with an indication what point value the property is worth.

Mr. Coen: That is interesting.

Mrs. Baker: And they will look at it from...they will research the property, just not spend any money to research it. It would add some time to the process.

Mr. Coen: Right. Mike, how would that work from an applicant's standpoint? Instead of it being staff looking at it now another body of people will be looking and researching. How would that work?

Mr. Neuhard: It would certainly add time to the process. Ultimately we would have to agree with it and their basis for their finding. Really, the way we have been working this, y'all too would have to come to some agreement.

Mr. Coen: Right.

Mr. Neuhard: Because we basically believe everything we advanced we made sure we had the concurrence of the Committee.

Mr. Coen: I guess you could feel them out and see how warm they are to the idea of being included in to it.

Mrs. Baker: I don't think they would have a problem with it. They meet monthly.

Mr. Coen: I just don't know if they would want to be... have that put on them.

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Mrs. Baker: I could certainly ask.

Mr. Coen: Okay. Is that sort of okay?

Mr. McClevey: Just add, one of the reasons I pushed for a visual...like a viewshed question was because at some point in time, I think familiar visual feature or historic structure, they all should have the same weight. They all should get points. If we say historic structure is worth more a familiar visual feature. I think as some point in time...

Mr. Lott: Landscape could be eligible for that.

Mr. McClevey: Exactly. So they are certainly worthy of equal points of something. I agree with you Mike, Tom, who ever you are.

Mr. Coen: I guess the next question is about the century farm being the same as cultural resources. I am comfortable with it there. Are you comfortable?

Mr. Hunt: How many points does that give?

Mr. Coen: We have not decided.

Mr. Adams: Here again, I am looking at Fauquier County where I have done a lot. They actually give out confirmation awards to certain farms because they have repaired riparian buffers and planted wildlife habitat and everything all under these federal programs that is above and beyond from an agricultural point of view. Not just regular farming. That is somebody taking a step forward to actively conserve and preserve something. I don't even know if the district out here even has those awards.

Mr. McClevey: I think that would come under the assessment of the farm, conservation plan assessment. But century farm is a State... the Governor designates it.

Mrs. Baker: You actually have to apply to that program. I think you said there are three in Stafford now.

Mr. McClevey: I think two.

Mr. Coen: That is an interesting thing. At some point will you check to see if that would slide into any of them. I am not... I am taking a cursory glance at the section on environmental or aesthetic quality. I am not sure whether they would slide in there.

Mr. Lott: I'll give that some thought.

Mr. Coen: Yes, because it may already be in there, if not it is a very good point that they have already entered into a program. We already had that discussion about they promised to do it, versus they are already doing it. It is a very worthwhile thing to say, if they have already done these extra programs and they are recognized by somebody. That would be something worthwhile to think about.

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Mr. Lott: We had hoped to have that discussion with Tri-County about some of these conservation plans, but we still just keep playing phone tag or not being able to come up with a date.

Mrs. Baker: We are having problems getting an appointment down there. They want an appointment in writing.

Mr. Hunt: You just have not been talking to the right person.

Mrs. Baker: I know.

Mr. Lott: I know that this is their busy time of year.

Mr. Hunt: Can we talk about this after the meeting? I might be able to solve that.

Mr. Lott: Sure.

Mr. O'Hara: How would this question work here? When we put a number two on their property for century farm, what are we saying?

Mrs. Baker: I think century farm is going to be its own category.

Mr. Coen: Its own category.

Mrs. Clark: You either get two points or you don't.

Mr. Lott: It is either a yes or no and you get points.

Mr. McClevey: Could I put a sub-category, is property contiguous to a century farm. I mean...

Mrs. Baker: Or associated with.

Mr. McClevey: There were some issues with that.

Mr. Coen: And the third one would be if they are contiguous with.

Mr. McClevey: You are just trying to make me feel better.

Mr. Coen: No. I am not that nice.

Mr. Adams: You said Jerry went out and bought new farm land, so if the core farm is a century farm and he goes out and buys sixty acres that is contiguous to it, does that roll into the century farm or is that...

Mrs. Baker: It is not automatically going to roll in.

Mr. McClevey: Actually I am reading over the paperwork, the century stuff that you gave us. It was more like, it was just the family has been farming for over a hundred years. It did not matter where the

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tract was if the family has been involved with farming. That is why any tract that they manage or farm is important in the century farm.

Mr. Coen: Anymore issues on...

Mr. Lott: Those are the main ones I wanted to address tonight. I did make some changes. I went ahead and got rid of the important farm supporting businesses and I switched that to being proximity to other farms. I went ahead and reduced that from what we originally discussed it being twenty acres or it matched the eligibility for the...we were going to remove the contiguous from the batch applications. For some reason I did not go ahead and remove that.

Mrs. Baker: We talked about removing the batch because the limited amount of funding that we have had. Based on acreage, not necessarily if you've got more property, but more acreage. There was really no reason for getting points for a batch application when it is coming in for two separate parcels. There was not any consideration this time but I guess maybe where it could make a difference is if you have two different property owners and they are coming in with a batch application. Families that own good size farms and they come in and perhaps...

Mr. Adams: I am just looking at my neighborhood and the proximity to other farms, would that be active farms? I mean when I go back down there...I know people in land use and they call themselves farms and its twenty acres but it isn't being farmed.

Mr. Hunt: That is the problem when you say active farm and you have to decide what activity and you get into how much produce do you sell a year and it gets awfully tough. We run those at Tri-County all the time. It just gets difficult.

Mrs. Baker: Back to the batch thing, do you all want to keep it in? It is not hurting anything if it is in.

Mrs. Clark: I like the idea because if you've got...because there are so many farms that are in the twenty to forty acre range. The idea that you can have contiguous land owners that would go in together, that make is stronger application, I think. But that means you have to have money to cover it and I think that was your concern was that we weren't going to have money to cover it. The questions was did you going to handle them as individual farms or do you handle it as one application. Have we decided that? I like the idea of the batch when it is contiguous.

Mr. Coen: That was one of the things...but then you get into when you are doing the negotiations with all these different entities...I remember that discussion when we had it.

Mrs. Clark: Maybe what you do is you send it in as two different applications, but you get the points because they are contiguous and they are tied together and they declare that somewhere or something, I don't know.

Mr. Coen: Okay, ten minutes.

Mr. Lott: The only other one that I was still not one hundred per cent sure that we agreed on the language was the first question under C about the number of non-farm residences within a half mile. I know we talked about this, but I...we discussed rather to add the phrase platted lots. You know that

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there were already lots that were obviously going to be built on at some point in time. Did we want to count those as well and there was also some discussion about eliminating the phrase non-farm from it as well. I was wondering if there was any consensus on that and we can finalize that question one way or the other.

Mrs. Clark: In the ones we did last year, am I right in saying the only one that got eight points was the one that actually had all those plats around them?

Mr. Lott: I don't know if anybody got eight points.

Mrs. Clark: Oh, nobody got eight. I don't know that anybody can get that.

Mr. Lott: I think there is only...

Mrs. Clark: I mean look at the map. There is just...

Mr. Lott: There are a few in White Oak and maybe one or two in Hartwood, that would make it depending on how you do it.

Mrs. Clark: Clark farm.

Mr. Lott: Like Jerry's. Jerry has other property that would if he was going to come in because it is so far from everything. It is not so much...you know we can get into the point part of it later, but how we phrase it. And if you want...I did not count platted lots this time, only if there was a house on it. Obviously six months from now there might be four more houses on those platted lots.

Mrs. Clark: I can understand taking off non-farm because it is hard to decide what the farm was, not because you've got lots that are three to twelve acres that become a farm or not. I would just say...if you are going to keep it I would count it as residences, frankly. I don't know how you make that decision.

Mr. Lott: Like the alpaca farm that is out there and it is, what, eight acres or something.

Mrs. Clark: But they probably do. I think I would take out non-farming because it will be easier for you...

Mr. Coen: Residences or rural residences?

Mrs. Baker: I would say residences.

Mr. Coen: Residences within a half mile? Okay.

Mrs. Clark: I guess my question is the half mile does that make it valid? I don't know. Okay using the half mile, were there differences in the point values. And the answer is yes.

Mr. Lott: There were last time, I don't have the points with me, but I think they were between...

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Mrs. Clark: I mean do you make it a quarter mile instead to try to give a variation?

Mr. Adams: I know this was one that really...

Mrs. Clark: Did it bother you?

Mr. Adams: No, as an applicant last time, sitting down...Oh, what we thought we had verses when Mike started counting roofs it was, there are that many houses within a half of mile. I can't believe this.

Mrs. Clark: How did you do that? Do you remember?

Mr. Lott: I came and asked you if you use the center line in the property and draw a circle and go from that. Then you would have a better chance of getting fewer if I went from the center.

Mr. Coen: Alright.

Mr. Lott: That is something we can think about in the point portion. If you want to change we can word that again to one half mile or you can change the number of dwellings. There are various ways you could do it. Reward people for living in a somewhat more rural area.

Mr. Adams: I like the platted lots thing. I think if you look at a platted lot it is going to be a house in the future.

Mrs. Clark: I do to.

Mr. Adams: It may not be here today or tomorrow, but as soon as the economy turns around that is going to be a house.

Mr. Coen: Are you now saying you want platted lots instead of residences.

Mr. Lott: The lots have to be part of the subdivision that was recently platted right. Not just some ten acre lot that was never built on.

Mrs. Baker: I don't know, that is the decision you would have to make. A platted lot is a platted lot. If it is a ten acre lot or a fifty acre lot, it is a platted lot. A subdivision is a division of land, not just a neighborhood that has a name.

Mr. Hunt: Not that you would ever do it, but if you went to a place like Aquia Harbour, they have platted lots right down in the middle of the marsh. You would not want to give credit to those.

Mrs. Baker: You could base it on the size of the lot that are adjacent or...

Mr. Coen: Okay, do you want to think about it? It is up to you.

Mr. Lott: When we come back to talk about the points, I will have it written in a way...

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Mr. Coen: Cool. Alright, is that all you have.

Mr. Lott: I think that is all.

Mr. Coen: Okay. So that gets us to the next meeting which is May 24th.

5. Next Meeting - May 24, 2010 Regular Meeting

Mr. Coen: So far we have a bond topic and financing comments.

Mr. Adams: That is not Memorial Day weekend is it?

Mr. Coen: No, the week after Memorial Day weekend. If memory serves me Mike, you are saying you wanted us to go through the criteria this month and next month you wanted us to start on the points. I guess I should look at my notes.

Mr. Neuhard: We need to start getting to a point, because after we finish this we have to go back to the Ordinance. There are some needed changes in the Ordinance that have either been already directed by the Board or as a result of this will have to change. Plus a couple of editorial issues we missed the last time. Then we are going to have to go through public hearing and all that, so if we want to stay on track we need to get to the points and get this resolved so we can turn our attention towards that. Because that is another couple of months of getting that done, so now you are into the fall. If we are surprised and have some money or something somewhere, we want to be ready.

Mr. Coen: Okay, so next month we will deal with the financing and we will wrap up anything on the criteria and start on the points. Is that what you are saying?

Mr. Neuhard: I think, probably we will come with suggested points the next time and what we see as, based on the discussion. There may be one or two questions

Mr. Coen: Any new business? Seeing none is there a motion to adjourn.

6. Adjournment

With no further business to discuss, the meeting was adjourned at 8:58 p.m.